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SENATE

REPORT
100-474

AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR THE WEB RURAL WATER DEVELOPMENT PROJECT, SOUTH DAKOTA, AND FOR OTHER PURPOSES

AUGUST 10, 1988.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 4267]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 4267), to authorize additional appropriations for the WEB Rural Water Development project, South Dakota, authorize the use of Pick-Sloan Missouri Basin electric power by the Lower Brule Sioux Indian Tribe, and to rename certain facilities of the Central Valley project, California, having considered the same, reports favorably thereon with an amendment and recommends that the act, as amended, do pass.

The amendment is as follows:

On page 2, line 10, strike "Brule," " and insert "Brule, including the Clark Ranch irrigation development," ".

PURPOSE

As ordered reported, H.R. 4267 would fulfill three purposes; authorize the appropriation of an additional $18.5 million for completion of the WEB Rural Water Development Project in South Dakota, amend P.L. 97-273 (96 Stat. 1182) to authorize the use of Pick-Sloan Missouri Basin program power for certain irrigation developments located on the Lower Brule Indian Reservation in South Dakota, and rename three features of the Central Valley Project in California.

S313-41

BACKGROUND

WEB Rural Water Development Project.—The WEB Project was authorized by section 9 of the Rural Development Policy Act of 1980 (P.L. 96-355).

The 1980 Act authorized the appropriation of $68,100,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in development costs incurred after January 1, 1980, as indicated by the engineering cost indices applicable to the types of construction involved with the project. While developing the fiscal year 1989 budget proposal, the Bureau of Reclamation discovered that incorrect indexing procedures had been used in computing the indexed ceiling for the WEB project and that an additional authorization of $18,500,000 is necessary to complete the project. Construction of the WEB project is over 60 percent complete with final completion estimated to occur in 1990. Unless the additional appropriation is authorized, there will be inadequate funding authority for fiscal year 1990.

Lower Brule Indian Reservation.—Section 5 of Public Law 97-273 authorized the Secretary of the Interior, in cooperation with the Department of Energy, to make available the Pick-Sloan Missouri Basin program pumping power to certain Indian tribal irrigation developments and in particular the Grass Rope Unit of the Pick-Sloan Missouri basin program which had been authorized by the Flood Control Act of 1944. The Grass Rope unit is located on the Lower Brule Indian reservation in South Dakota. Subsequently, the Lower Brule Sioux Tribe undertook the development of a 2,000 acre irrigation project known as the "Clark Ranch" located on the reservation, but outside the boundary of the Grass Rope Unit. The Tribe would like to have Pick-Sloan Missouri Basin program pumping power made available to the Clark Ranch irrigation development.

Name Changes, Central Valley Project, California.—Upon occasion, the Congress has named features or facilities of Federal Reclamation Projects after individuals who have made major contributions towards the development of the projects or who have been pivotal figures in Western water resource development. The three individuals recognized in H.R. 4267, former Congressman B.F. Sisk, former Assistant Secretary of the Army for Civil Works, W.R. Gianelli, and C.A. Hill have played crucial roles in the development of California's water resources.

LEGISLATIVE HISTORY

H.R. 4267 was introduced on March 29, 1988 and was referred jointly to the House Committee on Agriculture and the Committee on Interior and Insular Affairs. A hearing was held before the Subcommittee on Water and Power Resources of the Interior and Insular Affairs Committee on April 14, 1988 and the measure was reported with amendments to the House on April 26, 1988 (Rept. 100-582, Part 1). H.R. 4267 passed the House amended on May 10, 1988 and was referred to the Senate Committee on Energy and Natural Resources on May 11, 1988.

In the Senate, a companion measure, S. 2257, was introduced by Senators Daschle and Pressler on March 31, 1988 and was referred to the Committee on Energy and Natural Resources.

At the business meeting on August 4, 1988, the Senate Committee on Energy and Natural Resources ordered H.R. 4267 favorably reported in lieu of S. 2257.

Committee Recommendation and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on August 4, 1988, by unanimous vote of a quorum present, recommends that the Senate pass H.R. 4267, if amended as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers*	
Mr. Ford	
Mr. Metzenbaum*	
Mr. Melcher*	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler*	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker*	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	

*Indicates voted by proxy.

Committee Amendment

The Committee amended the Act to clarify that the Clark Ranch irrigation development located on the Lower Brule Indian reservation is eligible to receive Pick-Sloan Missouri basin program pumping power.

Summary of the Measure

H.R. 4267, as ordered reported would authorize to be appropriated an additional sum of $18,500,000 (March 1988 price levels), plus or minus each amounts, if any as may be required by engineering cost indices applicable to such construction, for the construction of the WEB Rural Waste Development Project in South Dakota.

H.R. 4267 would also make available Pick-Sloan Missouri basin program pumping power to irrigation developments on the Lower

Brule Indian reservation including the Clark Ranch irrigation development.

Finally, H.R. 4267 would rename: the San Luis Dam of the San Luis Unit, Central Valley Project, California as the "B. F. Sisk San Luis Dam"; the San Luis Pumping-Generating Plant of the San Luis Unit, Central Valley project, California as the "William R. Gianelli Pumping-Generating Plant"; and, the Whiskeytown Dam of the Central Valley Project, California as the "Clair A. Hill Whiskeytown Dam".

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, August 8, 1988.

Hon. J. Bennett Johnston, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate. Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for H.R. 4267, as amended, an act to authorize additional appropriations for the WEB Rural Water Development Project, South Dakota, authorize the use of Pick-Sloan Missouri Basin electric power by the Lower Brule Sioux Indian Tribe, and to rename certain facilities of the Central Valley project, California.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

James. L. Blum,
Acting Director.

Congressional Budget Office—Cost Estimate

1. Bill number: H.R. 4267

2. Bill title: An act to authorize additional appropriations for the WEB Rural Water Development Project, South Dakota, Authorize the use of Pick-Sloan Missouri Basin electric power by the Lower Brule Sioux Indian Tribe, and to rename certain facilities of the Central Valley project, California.

3. Bill status: As ordered reported by the Senate Committee on Energy and Natural Resources, August 4, 1988.

4. Bill purpose: Title I of H.R. 4267 would authorize the appropriation of an additional $18.5 million for the WEB Rural Water Development project in South Dakota. This title would also authorize the Bureau of Reclamation to deliver power from the Pick-Sloan project to the Lower Brule Indian Reservation, Including the Clark Ranch, for irrigation purposes.

Title III would rename three federal irrigation facilities in California.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1989	1990	1991	1992	1993
Authorization Level		18.5			
Estimated Outlays		15.5	3.0		

The costs of this bill fall within budget function 300.

Basis of estimate: This bill would increase the appropriation ceiling for the WEB project to provide sufficient authority to cover the project's current estimated cost. The Bureau estimates that the additional budget authority to complete the project will not be needed until fiscal year 1990. Outlays were estimated based on historical spending patterns for this and other similar reclamation projects. We also assumed that the full amounts authorized will be appropriated by the beginning of fiscal year 1990.

We do not expect the other provisions of this bill to result in additional costs to the federal government.

6. Estimated cost of State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: On April 22, 1988, CBO prepared a cost estimate for H.R. 4267, as ordered reported by the House Committee on Interior and Insular Affairs. This estimate is identical to that earlier one.

9. Estimate prepared by: Kim Cawley.

10. Estimate approved by: C.G. Nuckols for James L. Blum, Assistant Director for Budget Analysis.

Regulatory Impact Evaluation

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 4267. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in carrying out the actions authorized by H.R. 4267. Therefore, there would be no impact on personal privacy.

Other than the normal paperwork resulting from the continued construction of the WEB Rural Water Development project and that associated with the name changes of the features of the Central Valley project, little, if any, additional paperwork would result from the enactment of H.R. 4267 as reported.

Executive Communications

On June 10, 1988, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 2257, the companion measure to H.R. 4267. These reports had not been received in time for inclusion in this report. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 4267, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 30, 1982 (PUBLIC LAW 97-273, 96 STAT. 1181)

* * * * * * *

SEC. 5. The Secretary of the Interior, in cooperation with the Department of Energy, is authorized to make available the Pick-Sloan Missouri basin program pumping power to the Crow Creek, Cheyenne River, Omaha, *Lower Brule, including the Clark Ranch irrigation development,* and Standing Rock Indian Reservation irrigation developments [,and the Grass Rope Unit, Pick-Sloan Missouri basin program]. Such pumping power shall also be made available to such additional irrigation projects as may be subsequently authorized to receive such power by Act of Congress.

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